

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Jose Daniel Deras Lopez

v.

Case No. 23-cv-552-LM-TSM

FCI Berlin, Warden

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Talesha L. Saint-Marc dated July 30, 2024 . The Warden's motion to dismiss (document 5) is denied.

“'[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'”

School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The Warden shall file an answer within 14 days.



Landya B. McCafferty
United States District Judge

Date: September 17, 2024

cc: Jose Daniel Deras Lopez, pro se
Michael McCormack, Esq.